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10 **UNITED STATES DISTRICT COURT**
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12 **DISTRICT OF NEVADA**

13 LANCE E. SPEAKE,
14 Plaintiff,
15 v.
16 MICHAEL MINOV, et al.,
17 Defendants.

Case No. 3:20-cv-00005-MMD-WGC

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**ORDER GRANTING
MOTION TO EXTEND THE DEADLINE
TO FILE THE STIPULATION AND ORDER
FOR DISMISSAL WITH PREJUDICE
(SECOND REQUEST)**

Defendant, Kelly Thompson, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Kayla D. Dorame, Deputy Attorney General, move to extend the deadline to file the Stipulation and Order for Dismissal with Prejudice in this matter by 30 days.

Lance Speake (Speake) is currently in the lawful custody of the Nevada Department of Corrections (NDOC) and is housed at Lovelock Correctional Center (LCC). ECF No. 9 at 1. On December 15, 2020, Speake and Defendants participated in an Early Mediation Conference where a settlement was reached. ECF No. 13. The original deadline to file the Stipulation and Order for Dismissal with Prejudice was scheduled for January 4, 2020. *Id.* Counsel for the Defendants filed a Motion to Extend the Deadline to File the Stipulation and Order for Dismissal with Prejudice on December 31, 2020. ECF No. 14. Defendants motion was granted on January 4, 2021, which extended Defendants deadline to February 3, 2021. ECF No. 15.

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Federal Rule of Civil Procedure 6(b)(1) governs enlargements of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defense counsel is new to the Attorney General's Office and only just recently acquired the case on January 13, 2021. Defense counsel attempted to speak with Mr. Speake on January 22, 2021. Because Mr. Speake requires a TTY telephone, Defense counsel was not able to connect using their cellular phone. Defense counsel needs more time to find a TTY telephone or an alternative method to be able to speak with Mr. Speake regarding his questions and concerns about the Stipulation and Order.

Good cause exists to extend time to file the Stipulation and Order for Dismissal as a meet and confer between the parties to discuss Mr. Speake's questions and concerns regarding the document is delayed due to lack of accessibility to a TTY telephone. Defendant is requesting a 30-day extension, or until **March 5, 2021**, to allow for Defense counsel to acquire a TTY telephone or find an alternative method to be able to communicate with Mr. Speake.

DATED this 28th day of January, 2021.

AARON D. FORD
Attorney General

By: /s/ Kayla D. Dorame
KAYLA D. DORAME, Bar No. 15533
Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED.

DATED: January 29, 2021.

Walter G. Cobb
UNITED STATES MAGISTRATE JUDGE